

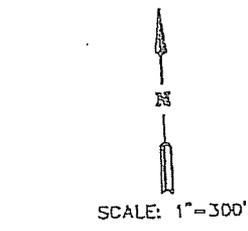
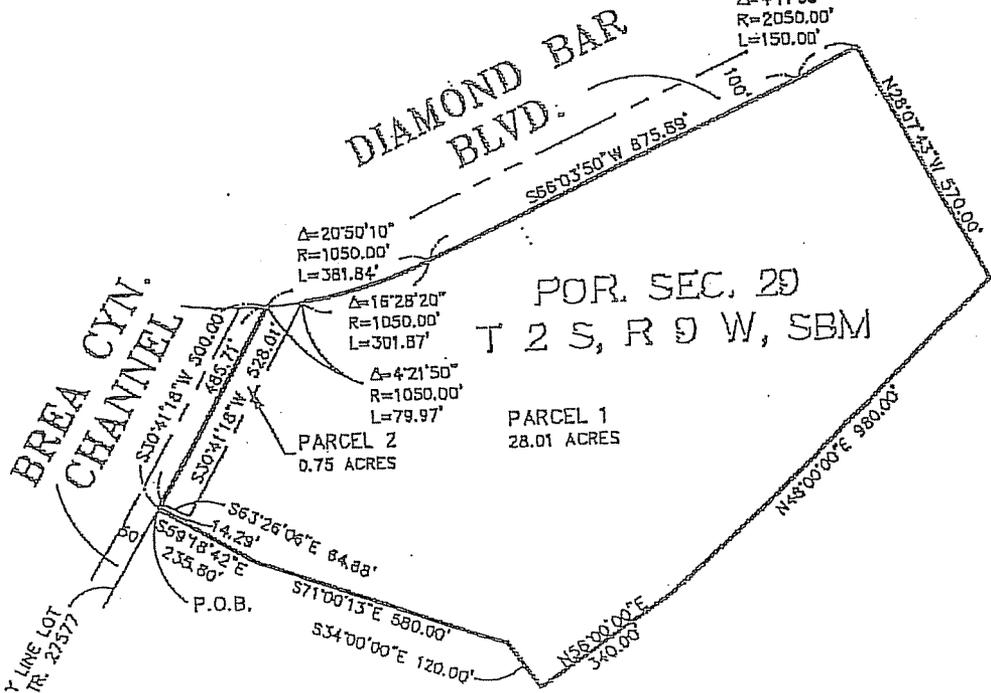
EXCEPT THEREFROM ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS NOW OR AT ANY TIME HEREAFTER SITUATED THEREIN OR THEREUNDER, TOGETHER WITH THE EXCLUSIVE RIGHT TO DRILL FOR, PRODUCE, EXTRACT, TAKE AND MINE THEREFROM SUCH OIL, GAS AND OTHER HYDROCARBONS AND MINERALS AND TO STORE THE SAME UPON THE SURFACE OF SAID LAND; TOGETHER WITH THE RIGHT TO STORE UPON THE SURFACE OF SAID LAND, OIL, GAS AND OTHER HYDROCARBONS AND MINERALS WHICH MAY BE PRODUCED FROM OTHER LANDS, WITH THE RIGHT OF ENTRY THEREON FOR SAID PURPOSES, AND WITH THE RIGHT TO CONSTRUCT, USE, MAINTAIN, ERECT, REPAIR, REPLACE AND REMOVE THEREON AND THEREFROM, ALL PIPE LINES, TELEPHONE AND TELEGRAPH LINES, TANKS, MACHINERY, BUILDINGS AND OTHER STRUCTURES WHICH MAY BE NECESSARY AND REQUISITE TO CARRY ON OPERATIONS ON SAID LAND, WITH THE FURTHER RIGHT TO ERECT, MAINTAIN, OPERATE AND REMOVE A PLANT, WITH ALL NECESSARY APPURTENANCES FOR THE EXTRACTION OF GASOLINE FROM GAS, INCLUDING ALL RIGHTS NECESSARY OR CONVENIENT THERETO, AS EXCEPTED AND RESERVED IN THE DEED FROM TRANSAMERICA DEVELOPMENT COMPANY, A CORPORATION, RECORDED MARCH 29, 1968 AS INSTRUMENT NO. 2456, IN BOOK D3955 PAGE 185, OFFICIAL RECORDS AND RE-RECORDED JUNE 19, 1969 AS INSTRUMENT NO. 1776 IN BOOK D4407 PAGE 591, OFFICIAL RECORDS.

SAID INTEREST WAS CONVEYED TO TRANSAMERICA MINERALS COMPANY, A CALIFORNIA CORPORATION, BY DEED RECORDED JUNE 20, 1985 AS INSTRUMENT NO. 85-74005.

AN INSTRUMENT PURPORTEDLY QUITCLAIMING, RELEASING AND SURRENDERING ONLY THE SURFACE RIGHTS TO A DEPTH OF 500 FEET AND PROVIDING FOR REMOVAL OF ALL GAS, MINERALS AND HYDROCARBONS BELOW SAID DEPTH AS CONVEYED TO TRANSAMERICA DEVELOPMENT COMPANY, A CALIFORNIA CORPORATION BY DEED RECORDED JANUARY 5, 1987 AS INSTRUMENT NO. 87-10522..

EXHIBIT A-2

MAP OF SCHOOL PROPERTY



PERCO ENGINEERING, INC. ONE TECHNOLOGY PARK J-725, IRVINE, CA. 92618 (949) 753-8111

F:\DATA\2002\00776 01\Survey\1\ena\Descriptions\Bndy-Site-D-12.0803.dwg 11/08/01 11:08:01 AM PST

EXHIBIT A-3

LEGAL DESCRIPTION OF CITY PROPERTY

THE LEGAL DESCRIPTION OF THE PROPERTY IS:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 9 WEST, SAN BERNARDINO MERIDIAN COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER RECORD OF SURVEY, FILED IN BOOK 76 PAGES 51 THROUGH 56 INCLUSIVE OF RECORD OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BEING DESCRIBED AS FOLLOWS:

THAT AREA SHOWN AS "NOT A PART OF THIS SUBDIVISION ON THE MAP OF TRACT NO. 27577, AS PER MAP RECORDED IN BOOK 702 PAGES 22 THROUGH 25 INCLUSIVE OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

SAID AREA BEING BOUNDED ON THE NORTHWEST BY SOUTHEASTERLY LINE OF BREA CANYON ROAD, AS SHOWN ON MAP OF SAID TRACT 27577; BOUNDED ON THE NORTH BY THE SOUTHERLY LINE OF DIAMOND BAR BOULEVARD, AS SHOWN ON MAP OF SAID TRACT NO. 27577; BOUNDED ON THE SOUTHEAST BY THE NORTHWESTERLY LINE OF LOT 76, AS SHOWN ON MAP OF SAID TRACT NO. 27577; BOUNDED ON THE SOUTHWEST BY THE NORTHEASTERLY LINE OF LOT 39, THE NORTHERLY TERMINUS OF CASTLE ROCK ROAD, AND THE NORTHERLY LINE OF TEN (10) FOOT WALK, ALL BEING SHOWN ON MAP OF SAID TRACT NO. 27577.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED IN DEEDS OF RECORD.

EXHIBIT A-4
MAP OF CITY PROPERTY

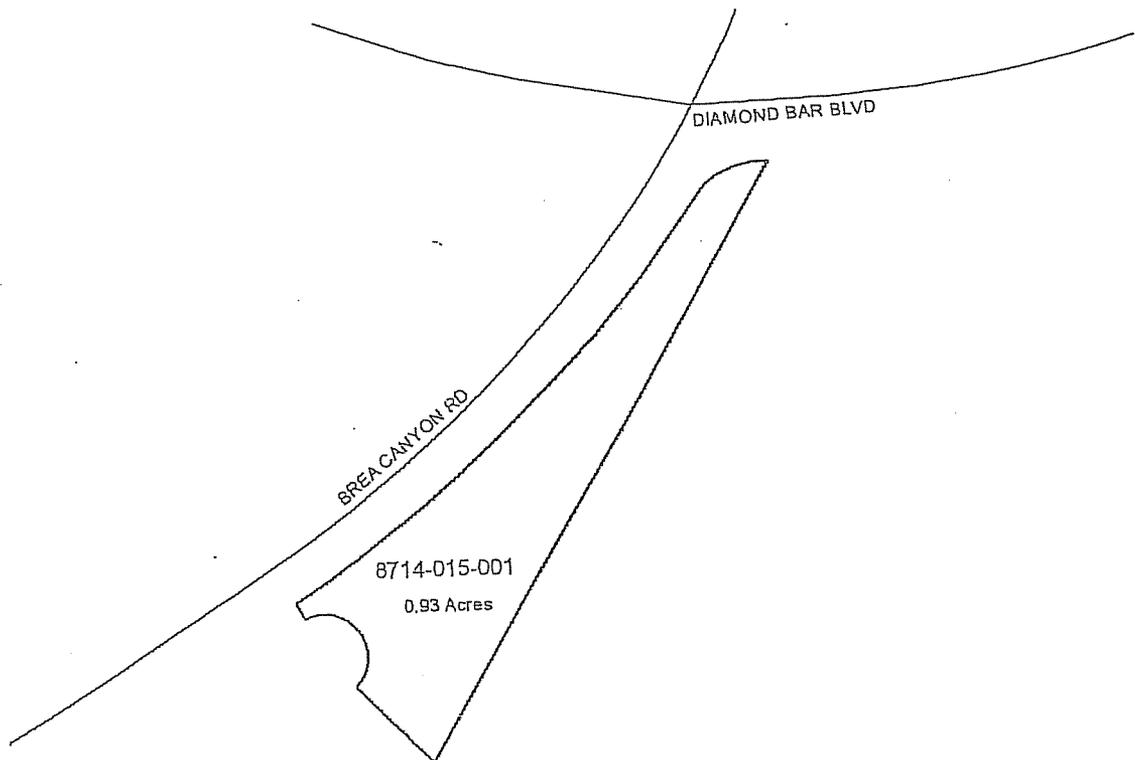


EXHIBIT A-5

LEGAL DESCRIPTION OF SITE D

EXHIBIT A-6

MAP OF SITE D

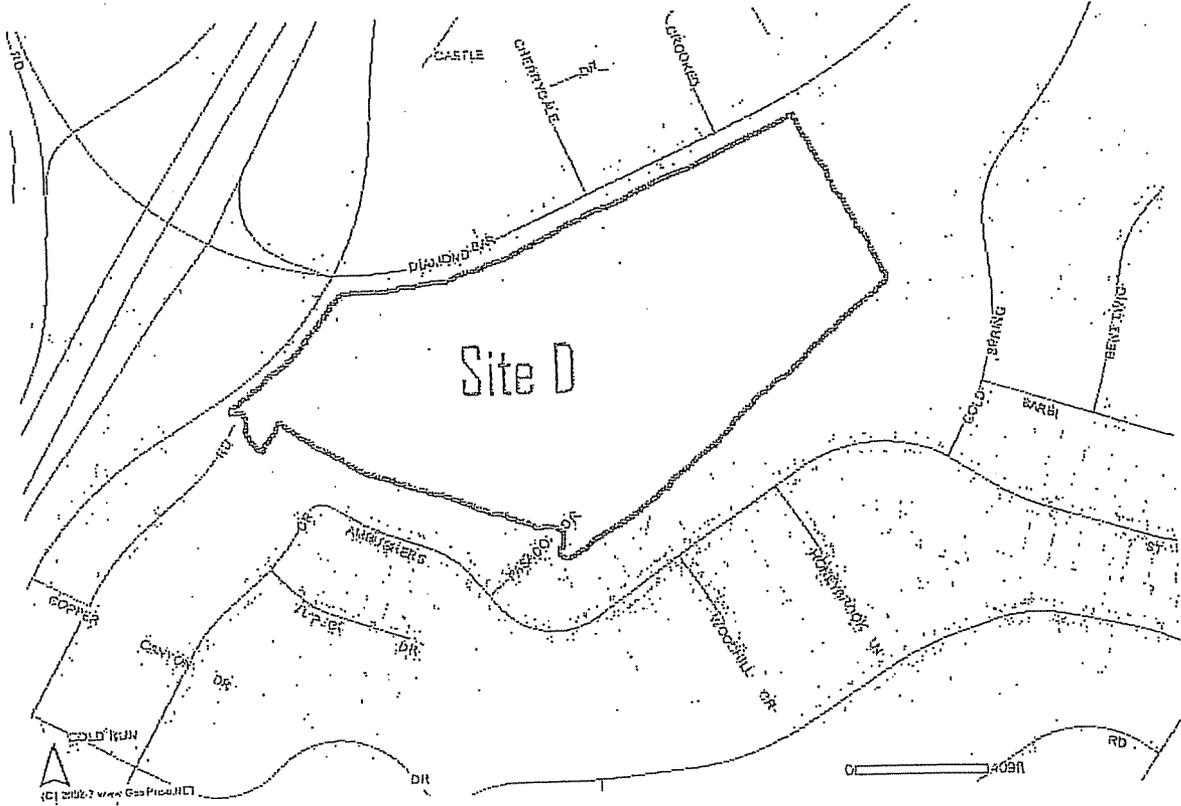


EXHIBIT B

SITE D COSTS AND MILESTONES

Site 'D' Costs and Milestones

13-Jun-07

Costs

	Services	Reimbursables	Total
TRG Land	\$67,340.00	\$3,000.00	\$70,340.00
PENCO Engineering	\$47,008.00	\$4,701.00	\$51,709.00
KFM Geoscience	\$26,500.00		\$26,500.00
Environmental Impact Sciences	\$66,970.00		\$66,970.00
Linscott, Law & Greenspan engineers	\$40,400.00		\$40,400.00
PCR	\$24,990.00		\$24,990.00
Total	\$248,218.00	\$7,701.00	\$280,909.00

Milestones

Phase I

- Team Meeting
- EIR Administrative Draft Initial Study / Obtain signature on NOP
- Begin 30 day comment period
- Preliminary Specific Plan Outline
- Preliminary Grading Plan
- Preliminary Review of available Geotechnical Reports
- Geotechnical Field Investigation and Laboratory Testing
- Traffic Count Study
- Preliminary Review and Sensitive Habitat Assessment
- Begin Biological Field Investigation
- Preliminary Hydrology / Drainage
- Team Meeting

Phase II

EIR Technical Studies
Administrative Draft EIR
Finalize Site Plan and Grading
Begin Draft Specific Plan and Graphics
Begin Draft Geotechnical Report
Begin Draft Screencheck Traffic Report
Finish Biological Field Survey
Prepare Biological Resource Report
Begin Tract Map
Prepare Water Quality Report
Team Meeting

Phase III

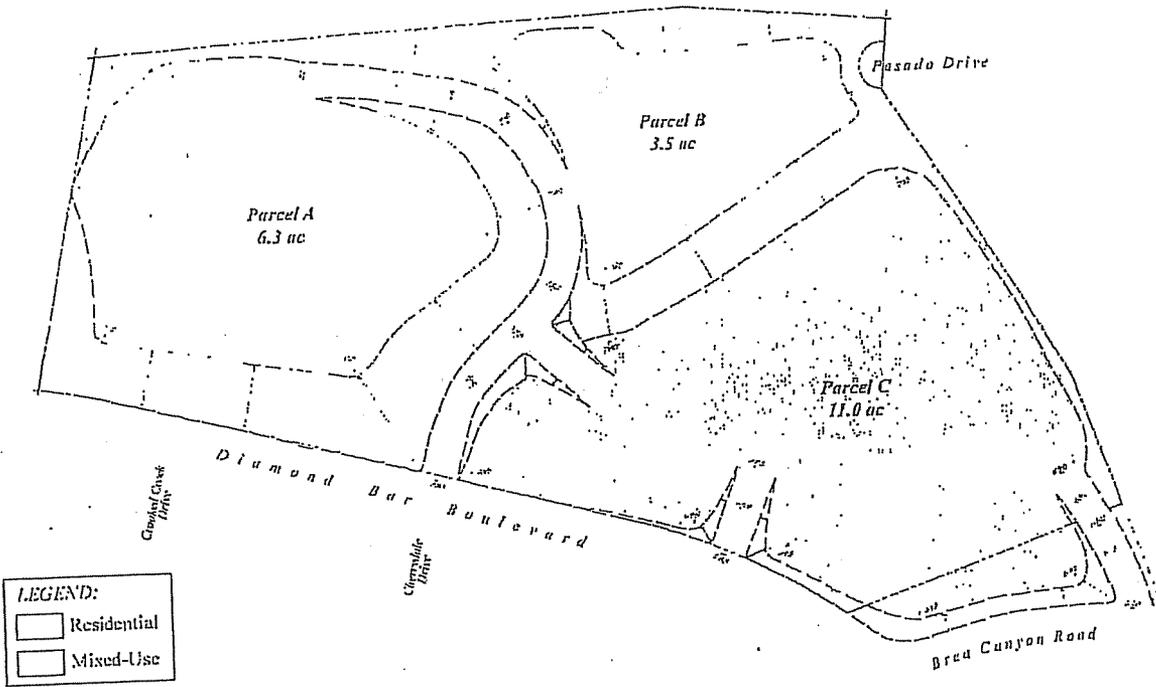
Draft EIR
45 Day Comment Period
Finalize Specific Plan
Finalize Tentative Tract Map
Preliminary Cost Estimates for Land Improvements
Finalize Evaluation of Geotechnical Constraints
Final Environmental Impact Report
Team Meeting

Phase IV

Planning Commission Hearings
City Council Hearings

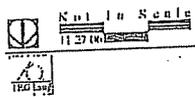
EXHIBIT C

SITE MAP



LEGEND:

	Residential
	Mixed-Use



WALNUT VALLEY UNIFIED SCHOOL DISTRICT / THE CITY OF DIAMOND BAR **SITE "D"**

EXHIBIT D

SITE D PROJECT SCHEDULE



Attachment 7

TABLE 11-1
YEAR 2007 SUMMARY OF RECOMMENDED IMPROVEMENTS AND COST ESTIMATES

Key Intersection	Improvement Description	Preliminary Cost Estimate
12. Pathfinder Road at Brea Canyon Cutoff Road	Widen and/or re-stripe eastbound Brea Canyon Cutoff Road to provide one left-turn lane, two through lanes and a separate right-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$357,813.00
14. SR-57 SB Ramps at Brea Canyon Cutoff Road/Diamond Bar Boulevard	Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Brea Canyon Cut-off or SR-57 SB ramps ³² .	\$228,125.00
17. Cherrydale Drive at Diamond Bar Boulevard	Provide an option left/through lane and a separate right-turn lane on the northbound approach; re-stripe southbound approach to provide an option left/through/right-turn lane on Cherrydale. Widen eastbound approach to provide a separate right-turn lane. Modify median and restripe Diamond Bar Boulevard to provided dual westbound left-turn lanes. Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Cherrydale Drive or Diamond Bar Boulevard ³¹ .	\$308,250.00
Total Costs of Year 2007 Improvements		\$894,188.00

³² Appendix D contains traffic signal warrant worksheets for this intersection.

TABLE 11-2
YEAR 2010 SUMMARY OF RECOMMENDED IMPROVEMENTS AND COST ESTIMATES

Key Intersection	Improvement Description	Preliminary Cost Estimate
1. Brea Canyon Road (West) at Pathfinder Road	Widen and/or re-stripe Pathfinder to provide a second eastbound left-turn lane and a second westbound right-turn lane. The implementation of this improvement may require some modification to the existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$280,750.00
5. Diamond Bar Boulevard at Pathfinder Road	Re-stripe northbound approach and departure on Diamond Bar Boulevard to provide a third through lane, and re-stripe existing bike lane as necessary. Widen and re-stripe southbound approach and departure on Diamond Bar Boulevard to provide a second right-turn lane and a third through lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller), as well as the termination of the existing bike lane.	\$572,575.00
12. Pathfinder Road at Brea Canyon Cutoff Road	Widen and/or re-stripe Pathfinder Road to provide separate northbound and southbound right-turn lanes. Widen and/or re-stripe Brea Canyon Cutoff Road to provide two eastbound and westbound through lanes and a separate eastbound right-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$729,688.00
14. SR-57 SB Ramps at Brea Canyon Cutoff Road/Diamond Bar Boulevard	Same at Year 2007 improvements. Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Brea Canyon Cut-off or SR-57 SB ramps ³³ .	\$228,125.00
16. Brea Canyon Road at Diamond Bar Boulevard	Widen and/or re-stripe northbound approach on Brea Canyon Road to provide a second right-turn lane. Widen and/or re-stripe eastbound approach and departure on Diamond Bar Boulevard to a third through lane. Re-stripe westbound approach on Diamond Bar Boulevard to provide a second left-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller), as well as the termination of the existing bike lane.	\$684,125.00
Subtotal		\$2,495,263.00

³³ Appendix D contains traffic signal warrant worksheets for this intersection.

TABLE 11-2 (CONTINUED)
YEAR 2010 SUMMARY OF RECOMMENDED IMPROVEMENTS AND COST ESTIMATES

Key Intersection	Improvement Description	Preliminary Cost Estimate
17. Cherrydale Drive at Diamond Bar Boulevard	Same at Year 2007 improvements. Provide an option left/through lane and a separate right-turn lane on the northbound approach; re-stripe southbound approach to provide an option left/through/right-turn lane on Cherrydale. Widen eastbound approach to provide a separate right-turn lane. Modify median and restripe Diamond Bar Boulevard to provided dual westbound left-turn lanes. Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Cherrydale Drive or Diamond Bar Boulevard ³⁴ .	\$308,250.00
18. Brea Canyon Road at Silver Bullet Drive	Re-stripe northbound approach/departure and southbound approach/departure on Brea Canyon Road to provide a second through lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$37,500.00
19. Diamond Bar Boulevard at Grand Avenue	Widen and re-stripe northbound, southbound, eastbound and westbound approaches to provide 2 left-turn lanes, 3 through lanes, and 1 right-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$1,509,625.00
20. Colima Road at Brea Canyon Cutoff Road	Widen and/or re-stripe Brea Canyon Cutoff Road to provide a separate right-turn lanes. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$500,000.00
Subtotal		\$2,355,375.00
Total Costs of Year 2010 Improvements		\$4,850,638.00

³⁴ Appendix D contains traffic signal warrant worksheets for this intersection.

TABLE 11-3

YEAR 2030 SUMMARY OF RECOMMENDED IMPROVEMENTS AND COST ESTIMATES

Key Intersection	Improvement Description	Preliminary Cost Estimate
1. Brea Canyon Road (West) at Pathfinder Road	Similar to Year 2010 Improvements, widen and/or re-stripe Pathfinder to provide a second eastbound left-turn lane and a second westbound right-turn lane. The implementation of this improvement may require some modification to the existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$280,750.00
5. Diamond Bar Boulevard at Pathfinder Road	Re-stripe eastbound through lane on Pathfinder Road to provide an option left/through lane. Similar to Year 2010 Improvements, re-stripe northbound approach and departure on Diamond Bar Boulevard to provide a third through lane, and re-stripe existing bike lane as necessary. Widen and re-stripe southbound approach and departure on Diamond Bar Boulevard to provide a second right-turn lane and a third through lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller), as well as the termination of the existing bike lane.	\$591,325.00
10. Brea Canyon Road at Cold Spring Lane	Re-stripe southbound approach to provide one left-turn lane, one through lane and one right-turn lane.	\$9,375.00
11. Diamond Bar Boulevard at Cold Spring Lane	Re-stripe northbound approach and departure and southbound approach and departure on Diamond Bar Boulevard to provide a third through lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$18,750.00
12. Pathfinder Road at Brea Canyon Cutoff Road	Similar to Year 2010 Improvements, widen and/or re-stripe Pathfinder Road to provide separate northbound and southbound right-turn lanes. Widen and/or re-stripe Brea Canyon Cutoff Road to provide two eastbound and westbound through lanes and a separate eastbound right-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$729,688.00
14. SR-57 SB Ramps at Brea Canyon Cutoff Road/Diamond Bar Boulevard	Same as Year 2007 improvements. Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Brea Canyon Cut-off or SR-57 SB ramps ³⁵ .	\$228,125.00
Subtotal		\$1,858,013.00

³⁵ Appendix D contains traffic signal warrant worksheets for this intersection.

TABLE 11-3 (CONTINUED)
YEAR 2030 SUMMARY OF RECOMMENDED IMPROVEMENTS AND COST ESTIMATES

Key Intersection	Improvement Description	Preliminary Cost Estimate
15. SR-57 NB Ramps at Brea Canyon Cut-off/Diamond Bar Boulevard	Widen NB off-ramp to provide a third approach lane and stripe off-ramp to provide a northbound left-turn lane, and option left-through-right lane, and a right-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$355,000.00
16. Brea Canyon Road at Diamond Bar Boulevard	Similar to Year 2010 Improvements, widen and/or re-stripe northbound approach on Brea Canyon Road to provide a second right-turn lane. Widen and/or re-stripe eastbound approach and departure on Diamond Bar Boulevard to a third through lane. Re-stripe westbound approach on Diamond Bar Boulevard to provide a second left-turn lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller), as well as the termination of the existing bike lane.	\$684,125.00
17. Cherrydale Drive at Diamond Bar Boulevard	Same at Year 2007 improvements. Provide an option left/through lane and a separate right-turn lane on the northbound approach; re-stripe southbound approach to provide an option left/through/right-turn lane on Cherrydale.. Widen and/or re-stripe eastbound approach and departure on Diamond Bar Boulevard to a third through lane and provide a separate right-turn lane. Modify median and restripe Diamond Bar Boulevard to provided dual westbound left-turn lanes. Install traffic signal. The implementation of this improvement may require some modification to existing signing and striping on Cherrydale Drive or Diamond Bar Boulevard ³⁶ .	\$454,875.00
18. Brea Canyon Road at Silver Bullet Drive	Similar to Year 2010 Improvements, re-stripe northbound approach/departure and southbound approach/departure on Brea Canyon Road to provide a second through lane. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$37,500.00
Subtotal		\$1,531,500.00

³⁶ Appendix D contains traffic signal warrant worksheets for this intersection.

TABLE 11-3 (CONTINUED)
YEAR 2030 SUMMARY OF RECOMMENDED IMPROVEMENTS AND COST ESTIMATES

Key Intersection	Improvement Description	Preliminary Cost Estimate
19. Diamond Bar Boulevard at Grand Avenue	Widen and/or re-stripe southbound and eastbound approaches to provide 2 left-turn lanes, 3 through lanes and 1 right-turn lane. Widen and re-stripe eastbound to provide 2 left-turn lanes, 4 through lanes and 1 right-turn lane. Re-stripe northbound approach to provide 2 left-turn lanes, 3 through lanes, and 1 free-flow right-turn lane. Widen the eastbound departure to accommodate the northbound free-flow right-turn lane; additional ROW (11 feet) is required from the existing parking lot on the south side of Grand. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$2,216,500.00
20. Colima Road at Brea Canyon Cutoff Road	Widen and/or re-stripe Colima Road to provide a second left-turn lane and separate right-turn lanes. Widen and /or re-stripe Brea Canyon Cutoff Road to provide a second left-turn lane and separate right-turn lanes. The implementation of this improvement may require some modification to existing traffic signal equipment (i.e. re-cut/install new vehicle loop detectors, modification to traffic signal controller).	\$1,299,375.00
Subtotal		\$3,515,875.00
Total Costs of Year 2030 Improvements		\$6,905,388.00

TABLE 12-1

YEAR 2030 PROJECT FAIR SHARE CONTRIBUTION

Key Intersections	Time Period	(1) Project Impact	(2) Benefit of Improvements	(3) Project Fair-Share Percentage ³⁷	(4) Cost of Improvement	(5) Project Fair-Share Contribution
1. Diamond Bar Boulevard at Pathfinder Road	AM PM	0.002 0.010	0.104 0.218	3.60%	\$280,750.00	\$10,107.00
5. Diamond Bar Boulevard at Pathfinder Road	AM PM	0.009 0.024	0.263 0.309	5.50%	\$591,325.00	\$32,522.88
10. Brea Canyon Road at Cold Springs Lane ³⁸	AM PM	23 60	83 156	25.80%	\$9,375.00	\$2,418.75
11. Diamond Bar Boulevard at Cold Spring Lane	AM PM	0.012 0.030	0.173 0.220	9.70%	\$18,750.00	\$1,818.75
12. Pathfinder Road at Brea Canyon Cutoff Road	AM PM	0.016 0.042	0.330 0.326	8.10%	\$729,688.00	\$59,104.73
14. SR-57 SB Ramps at Brea Canyon Cut-off ³⁸	AM PM	100 233	213 377	36.10%	\$228,125.00	\$82,353.13
15. SR-57 NB Ramps at Brea Canyon Cut-off	AM PM	0.017 0.073	0.099 0.141	27.30%	\$355,000.00	\$96,915.00
16. Brea Canyon Road at Diamond Bar Boulevard	AM PM	0.030 0.078	0.326 0.299	14.70%	\$684,125.00	\$100,566.38
17. Cherrydale Drive at Diamond Bar Boulevard	AM PM	-- --	-- --	100%	\$454,875.00	\$454,875.00
18. Brea Canyon Road at Silver Bullet Drive	AM PM	0.005 0.011	0.599 0.668	1.20%	\$37,500.00	\$450.00
19. Diamond Bar Boulevard at Grand Avenue	AM PM	0.008 0.020	0.289 0.390	4.00%	\$2,216,500.00	\$88,660.00
20. Colima Road at Brea Canyon Cutoff Road	AM PM	0.006 0.014	0.305 0.266	3.40%	\$1,299,375.00	\$44,178.75
Totals					\$6,905,388.00	\$973,970.37

³⁷ Project Fair-Share% (3) = Project ICU Impact (1) ÷ ICU Benefit of Improvement (2)
 Source: City of Diamond Guidelines for the Preparation of Traffic Impact Analysis Report (dated July 2005).

³⁸ For this intersection, Project fair-share percentage calculated based on the following equation:

$$\text{Project Fair-Share\% (3)} = \frac{\text{Project Traffic (1)} + \text{Related Projects Traffic (2)}}{\text{Project Traffic (1)} + \text{Project Traffic (1) + Related Projects Traffic (2)}}$$

Attachment 8

Grace Lee

From: Greg Gubman
Sent: Tuesday, April 06, 2010 12:56 PM
To: Grace Lee
Cc: James DeStefano; David Doyle; Brad Wohlenberg; Mark Rogers; JoAnne Sturges; Peter Lewandowski
Subject: FW: Objection to "Site D Specific Plan".
Importance: High

Grace,
For distribution to the PC along with any other correspondence we receive.

Greg Gubman
(909) 839-7065

From: Stella Marquez
Sent: Tuesday, April 06, 2010 12:54 PM
To: Greg Gubman
Subject: FW: Objection to "Site D Specific Plan"
Importance: High

Stella Marquez

Senior Administrative Assistant
City of Diamond Bar
Community Development Department
21825 Copley Drive
Diamond Bar, CA 91765
phone: 909.839.7030
fax: 909.861.3117
e-mail: stella.marquez@ci.diamond-bar.ca.us

From: Judy Leung [mailto:sljleung@hotmail.com]
Sent: Tuesday, April 06, 2010 12:02 PM
To: Carol Herrera; Steve Tye; ling.ling-chang@ci.diamond-bar.ca.us; Ron Everett; Jack Tanaka; Stella Marquez
Subject: Objection to "Site D Specific Plan"
Importance: High

To the Planning Commissioners and City Counsel members,

I am writing this e-mail with deep frustration regarding the "Site D Specific Plan". First of all, I would like to express strongly my objection to the plan.

I, along with many local residents, were at the Public Hearing in the neighborhood meeting (whatever it is called) at Heritage Park last Sept/Oct. All of us there expressed our opposition to this plan. Many of us got up to the podium to express our views/opinion on our resentment to this Site D Specific Plan. Almost all of us stated our wish of having a recreational park or city facilities (such as library) on that site. We all understand that with this economy, the school district and City of Diamond Bar are looking for "financial gain" in selling the land to developer. Again, as Planning Commissioners and City Counsel members, you should not just consider the financial impact from selling the site. The

entire plan of this project should also integrate land use planning to improve the built and social environments of the communities.

Did the Planning staff take the residents' opinion in this land use planning? Yes, alright, we have several public hearing. But there really is no "active public involvement". Have the Planning staff and the City really listened to the public's needs and preferences? I can only see more money is spent by hiring the consultant to do more so-called Environmental Impact Report to "shut off" the public's needs and preferences. Has the City of Diamond Bar provide a real opportunity for the public to make the decisions affecting their communities? I called and talked to Grace Lee (one of the planning staff) in regard to the procedure of disapproving the project. I asked what is the percentage of residents' objection needed to stop the project to be recommended for approval. The answer from her is such criteria is not existed. Then, to my understanding, there are procedures for approval on this project but no procedure to stop the approval of the project. This approval of project, without looking into the public's needs and preferences, will certainly lower the quality of life for the communities and would be difficult to restore.

I understand if the Planning Commission approves this plan, it will go to final approval with the City Council members. Grace Lee stated that the public hearing is to provide a chance to express our opinions and views to these members and is up to us to convince these 8-10 members to approve or disapprove. She further stated that the Planning Commission members are appointed by the City Council and City Council members were elected by the residents. Therefore, the residents do have the final "say so" on the project. If this is the view from the City, this is a very "irresponsible" statement. When the City Council were elected, the project was not thrown in the table yet and how would we know the standpoint of the would-be City Council members. Further, how would we know the appointed Planning Commission's view on this issue. Being tax-payers and residents of the City, we are "in a sense" paying the city staff. Is the City and their staff doing the jobs for or against the residents? You can easily know how we feel. **The "public hearing" is simply a session of "fake democracy".**

Another thing that I noticed, the public hearing notice was sent 2 weeks ago to the property owners within 1,000 foot radius from the site. First of all, the ethnicity makeup in the City is very diverse. Sending the notice in "English" only probably missing 30-40% of the "audience". It is almost impossible for the residents to gather any organized community effort within a 3 week time period to reflect our objection. I will try my very best to be present at next week public hearing if I can find child care for my kid. That also tells you not all the residents are able to show up at the meeting to express their opinion.

The main question here is how much (as residents) have to show our resentment on this project and how many residents that you need to hear from in order for you to believe our deep objection on this project and for you to make the disapproval? I don't get an answer for that from the City staff. Does that mean this project is set for approval only since the beginning and not otherwise regardless of the public's opinion?

The other point that I don't understand is Grace Lee mentioned that without this "Site D Specific Plan", more than 600 dwelling units can be build (and not commercial) instead of the 202 dwelling units. Please clarify what can and cannot be done with Site D Specific Plan.

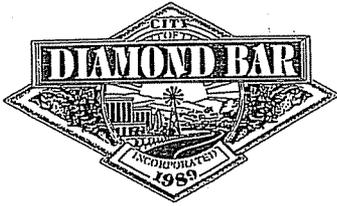
Being in the Planning Commission and the City Council members, are you really doing your job to listen and find out the public's needs and preferences? You can hire another ten team of consultants to do more EIR, but does that really mean the City fulfills their civil responsibilities in helping their own people? How many of you members live in the City of Diamond Bar and reflect the real needs of the communities? I am very tired of all these red tapes. I know I probably wasting my time and effort in writing this e-mail and the turn out of this project would be exactly like the Stadium projectregardless the residents' needs and preferences, the bottom line is money. Please do not disappoint your residents. Don't forget you get elected/appointed, because in our minds you are **FOR** the residents.

Regards,

Judy Leung
(resident of 21175 Running Branch Road, DB)

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.





PLANNING COMMISSION

AGENDA REPORT

CITY OF DIAMOND BAR ~ 21825 COPLEY DRIVE ~ DIAMOND BAR, CA 91765 ~ TEL. (909) 839-7030 ~ FAX (909) 861-3117

ITEM NO. 7.1

DATE: April 27, 2010

CASE/FILE NUMBER: CONTINUED "Site D" Specific Plan -
General Plan Amendment No. 2007-03, Zone Change No.
2007-04, Specific Plan No. 2007-01, Tentative Tract Map
No. 70687, and Environmental Impact Report 2007-02 (SCH
No. 2008021014).

PROJECT APPLICANT: Walnut Valley Unified School District and City of
Diamond Bar

LEAD AGENCY: City of Diamond Bar, Community Development
Department

PROJECT LOCATION: Site D is comprised of approximately 30.36 acres located at
the southeast corner of Brea Canyon Road and Diamond
Bar Boulevard (Los Angeles County Assessor's Parcel
Numbers 8714-002-900, 8714-002-901, 8714-002-902,
8714-002-903 and 8714-015-001).

**APPLICATION
REQUEST:** To recommend that the City Council take the following
actions:

1. Certify **Environmental Impact Report 2007-02** which provides a detailed analysis of potential environmental impacts associated with the development of the Specific Plan area. The EIR includes mitigation measures for the project, addresses project alternatives, and identifies the environmentally superior project alternative. Because the project will result in environmental impacts that cannot be mitigated to less than significant levels, adoption of a Statement of Overriding Considerations would be required before the City Council can approve the Specific Plan.
2. Adopt **Findings of Fact and Statement of Overriding Considerations** for the Site D Specific Plan based on findings that the Specific Plan would result in identified economic and social benefits that will accrue to the City, the School District, and the region, and important public policy objectives will result from the implementation of the proposed Specific Plan. Therefore the proposed Specific Plan's identified

benefits override the significant environmental impacts that cannot be mitigated, to less-than-significant levels.

3. Adopt **General Plan Amendment No. 2007-03** to change the land use designations from Public Facility (PF) and General Commercial (C) to Specific Plan (SP).
4. Adopt **Zone Change No. 2007-04** to change the zoning districts from Low Density Residential (RL) and Neighborhood Commercial (C-1) to Specific Plan.
5. Adopt **Specific Plan No. 2007-01** to adopt the Site D Specific Plan for the approximately 30.36-acre site for the construction of up to 202 residential dwelling units; up to 153,985 gross sq. ft. of commercial; and approximately 8 acres of open space areas, easements and rights-of-way. The Specific Plan contains development standards and guidelines tailored to take into account the physical characteristics of the property and its context, and to prescribe design criteria that will govern the future build-out of the site.
6. Approve **Tentative Tract Map No. 70687** to establish separate residential, commercial, and open space parcels; create an internal circulation system and common open space areas; and establish easements and other rights-of-way for utility and other purposes.

SUMMARY:

The Planning Commission continued this item from the April 13, 2010 meeting after receiving testimony from eleven speakers who raised concerns over air quality, traffic, conservation of open space, removal of existing trees, and visual impacts, among other things. The April 27, 2010 meeting has been scheduled to allow the Commission to resume discussion of the matter, begin the deliberation process, and formulate its recommendations to the City Council.

As of the writing of this report, staff received five written communications in opposition to the proposed Specific Plan, which are included as Attachments 5 through 9.

NOTICE OF PUBLIC HEARING:

The project was continued from the April 13, 2010 Planning Commission meeting, and therefore no further noticing was required. For the April 13, 2010 public hearing, notices were mailed to property owners within a 1,000-foot radius of the project site on March 22, 2010, and the notice was published in the Inland Valley Daily Tribune and San Gabriel Valley Tribune newspapers on April 2, 2010. The project site was posted with a notice display board, and a copy of the public notice was posted at the City's three designated community posting sites. The draft Specific Plan and Environmental Impact Report were also posted on the City's website, and hard copies are available for review at City Hall and the Diamond Bar Branch of the Los Angeles County Library.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt the attached resolution (Attachment 1) recommending that the City Council certify the Final Environmental Impact Report, approve the Mitigation Reporting and Monitoring Program, and adopt the Findings of Fact and Statement of Overriding Considerations for the Site D Specific Plan and related Zone Change, General Plan Amendment, and Tentative Tract Map;
2. Adopt the attached resolution (Attachment 2) recommending that the City Council approve General Plan Amendment No. 2007-03 to change the land use designations from Public Facility (PF) and General Commercial (C) to Specific Plan (SP); and Zone Change No. 2007-04 to change the zoning map designations from Low Density Residential (RL) and Neighborhood Commercial (C-1) to Specific Plan; and
3. Adopt the attached resolution (Attachment 3) recommending that the City Council approve Specific Plan No. 2007-01 to establish land use and development standards to facilitate and govern the development of up to 202 residential dwelling units, up to 153,985 gross sq. ft. of commercial floor area; and approximately 10.16 acres of open space areas, easements and rights-of-way; and Tentative Tract Map No. 70687 to establish separate residential, commercial, and open space parcels; create an internal circulation system and common open space areas; and establish easements and other rights-of-way for utility and other purposes.

ALTERNATIVES TO STAFF RECOMMENDATION

In addition to staff's recommendations, the following alternatives have been identified:

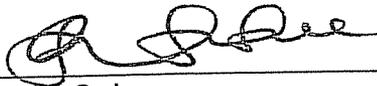
Alternative Environmental Actions

1. Recommend that the City Council Certify the Final EIR, but determine that the Findings of Fact do not warrant the adoption of the Statement of Overriding Considerations, continue the matter to May 11, 2010 and direct staff to prepare the necessary resolution.
2. Identify the reasons why the Final EIR should not be certified, specifying deficiencies in the environmental analysis and/or conclusions, and recommend that the City Council direct staff to revise the environmental analysis accordingly, continue the matter to May 11, 2010 and direct staff to prepare the necessary resolution.
3. Continue the item for additional information or revisions.

Alternative Project Actions

1. Recommend that the City Council deny the Site D Specific Plan and all associated land use applications as described in the attached resolutions (Attachments 2 and 3), state the reasons for the recommendation, continue the matter to May 11, 2010 and direct staff to prepare the necessary resolutions.
2. Recommend that the City Council approve one of the project alternatives listed in the Final EIR (Public Facilities, Community Commercial, Low-Density Residential, or High-Density Residential), continue the matter to May 11, 2010 and direct staff to prepare the necessary resolution.
3. Recommend that the City Council approve another project alternative, or a modified version of one of the alternatives listed in the Final EIR (including the Project Alternative), continue the matter to May 11, 2010 and direct staff to prepare the necessary resolution.

Prepared by:



Grace S. Lee
Senior Planner

Reviewed by:



Greg Gubman, AICP
Community Development Director

Attachments:

1. Draft Resolution No. 2010-XX (Recommending Certification of the DEIR and Adoption of the Mitigation Reporting and Monitoring Program)
2. Draft Resolution No. 2010-XX (Recommending Approval of GPA and ZC)
3. Draft Resolution No. 2010-XX (Recommending Approval of SP and TTM)
4. Draft PC Minutes of April 13, 2010
5. Letter from Mary Rodriguez dated April 13, 2010
6. E-mail from John Yang on April 13, 2010
7. E-mail from David R. Busse on April 14, 2010
8. E-mail from Judy Leung on April 15, 2010
9. E-mail from Chris Chung on April 15, 2010

Attachment 5

Mary E. Rodriguez
3419 Pasado Drive
Diamond Bar, Ca 91765
April 13, 2010

City of Diamond Bar Community Development
Department?Planning Division
21825 Copley Drive
Diamond Bar, Ca 91765

Re: Public Hearing "Site D" Specific Plan ("Project")

I am hereby requesting that this letter be entered into the Environmental Document.

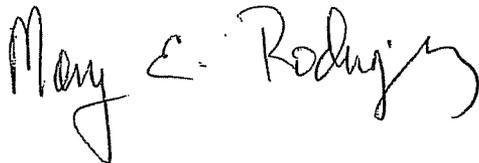
What is the basis for your mitigation efforts? With regards to the traffic, the vegetation, the trees, the wildlife, the air health, the noise.

Example, the tree options given to mitigate the destruction of 75 California Walnut Trees.

The traffic report does not make good math. Also, you do not show all the streets that are critically affected. Where is Copper Canyon? Copper Canyon goes directly into the project area, yet it is not accounted for in your report. There many things wrong with the Environmental Report.

Why is the Walnut School District getting in the real estate business. The property belongs to the school district. They have no right to go into the land speculation business in this terrible economic time.

Mary E. Rodriguez

A handwritten signature in black ink that reads "Mary E. Rodriguez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Attachment 6

Grace Lee

To: Greg Gubman
Subject: RE: Site D Specific Plan Project Proposal

From: John Yang [mailto:johnkyang@gmail.com]
Sent: Tuesday, April 13, 2010 10:39 AM
To: Stella Marquez
Subject: Site D Specific Plan Project Proposal

City of Diamond Bar
Community Development Department
Planning Division
21825 Copley Drive
Diamond Bar, CA 91765

Re: "Site D" Specific Plan ("Project")

To Whom It May Concern:

I am unable to appear at the public hearing and therefore am challenging this application and project by this letter.

I object for the following reasons/issues:

Increase in Traffic and Safety Concerns

The area in which this proposed project is located at the southeast corner of Brea Canyon Road and Diamond Bar Blvd. which consists of one of the already busiest intersections in Diamond Bar with its entrances to and exits from the 57 freeway. The additional traffic that would be contributed by the new occupants of the proposed 202 residential dwelling units would cripple the already inundated flow of traffic in this area.

Additionally, the project would bring more commercial trucks into the vicinity because of the commercial businesses that are proposed in this project. More commercial trucks in the area will absolutely lead to more traffic because of their larger sizes compared to small vehicles.

More traffic leads to increased probability of car accidents. The safety of Diamond Bar residents should be put first and this project seems contrary to that goal.

Impact on Local Schools

Diamond Bar prides itself of being the part of a great school district and home to many exceptional, and even nationally recognized schools. Adding the 202 residential dwellings would add more students to existing classrooms, adding a strain to the already large classroom sizes and ultimately having a negative impact on the quality of education due to the children of Diamond Bar.

Buildings will clash with existing neighborhoods

Diamond Bar has been a wonderful suburban community. We pride ourselves with an almost "country feel" lifestyle and it was this small town character that has led many Diamond Bar residents to live here. I have lived at the same Diamond Bar home for over twenty years and attribute my long residency to the charm and character of this city. The proposed site will be at the south "entrance" to Diamond Bar. To have a complex as described by the "Site D" Specific Plan Project be the first impression of our city would be a shame as it would diminish the very character of our city. Although there are some multifamily dwelling complexes that exist in Diamond Bar, it is the single family homes that are exemplary of our city as seen through the Diamond Ridge area, the Country, and surrounding area of the "Site D" Specific Plan Project area.

For the above mentioned reasons, I object to the "Site D" Specific Plan Project. Diamond Bar does not need a multifamily dwelling complex with associated commercial businesses as it will lead to an unnecessary, additional strain on the lives of existing residents and business of the local area.

Sincerely,
John Yang
Owner and Resident
3166 Cherry Dale Drive
Diamond Bar, CA 91765

Attachment 7

Grace Lee

To: Greg Gubman
Subject: RE: Site D

From: Ron Everett
Sent: Thursday, April 15, 2010 9:50 PM
To: David Busse
Subject: RE: Site D

Mr. David Busse,
Thank you for your comments on the subject matter; I will make certain the Community Development Department receives a copy for follow-up.

Sincerely,
Ron Everett

From: David Busse [DRBusse@roadrunner.com]
Sent: Wednesday, April 14, 2010 5:02 PM
To: Ron Everett
Subject: Site D

Thank you for attending the Site D hearing meeting last night. I trust you and the other council members in attendance got some idea of the uproar in South Diamond Bar over this plan.

I believe there is some common ground to be found on this issue and I urge you and other council members to seek a compromise plan that both satisfies the neighbors and the (arguable) financial interests of the WVUSD.

Let's make sure this whole process doesn't get dragged into an extended drama in a courtroom. I am eager to work toward some sort of compromise. That's tough to do when the school board tells me "it's the city's plan" and the city says "were in this to help the schools."

Best Regards,

David R. Busse

Attachment 8

Grace Lee

From: Judy Leung [sljleung@hotmail.com]
Sent: Thursday, April 15, 2010 3:17 PM
To: Stella Marquez
Cc: Ling-Ling Chang (Off-Site); Carol Herrera; Steve Tye; Ling-Ling Chang; Ron Everett; Jack Tanaka
Subject: Questions / concerns on Site D Specific Plan
Attachments: 1991 DBIA resolution.PDF

To DB Planning Commission members :

I have the following questions / concerns on Site D Specific Plan -

1) Why Site D Specific Plan is chosen compare to other alternatives such as only building single family house; public facilities; recreational park? There isn't anything mentioned about how this plan is chosen in the Draft EIR or Draft Site D Specific Plan.....maybe I missed it, please explain.

2) Why was there no public information meeting on the EIR ? We demand an "interactive" meeting with the consultants and the Planning Commission.

3) In Section 7.0 "General Plan Consistency Analysis" (page 39) under Draft - Site D Specific Plan, it stated the Vision Statement in Land Use Element : *" It is the overall goal of the land use element to ensure that the land uses and development decisions of Diamond Bar maintain and enhance the quality of life for its residents."* In page 40, Goal stated : *"Consistent with the Vision Statement, encourage long-term and regional perspectives in local land use decisions, but not at the expense of the quality of life for Diamond Bar residents."*

- Explain how these are accomplished ? How can the consultants determine "Site D Specific Plan" will maintain and enhance the quality of life for its residents ????? No DB residents ever received any survey on this subject and never have a channel to express our feelings on this. Now, I am "submitting" my feel on this matter.....it will definitely lower the quality of life.

4) In Section 7.0 "General Plan Consistency Analysis" under Draft - Site D Specific Plan, it stated the Goal in Housing Element (page 40) *"Consistent with the Vision Statement, preserve and conserve the existing housing stock and maintain property values and residents' quality of life"* Under Consistency (same page), it stated *"Furthermore, the project may enhance surrounding property values..."*

- Explain how is the "conclusion" (maintain and even enhance surrounding property values) derived from ?? What type of study was done on this? How is "maintain property values and residents' quality of life" determined? What type of factors that this is based on ??

5) On the very last sentence under Section 7.0 "General Plan Consistency Analysis" under Draft - Site D Specific Plan (Page 43), it stated *" Due to the projects convenient location and site planning, Site D presents an economically viable plan that is good for the City of Diamond Bar and its residents."*

- Again, how is the conclusion (good for its residents) arrived ? What type of survey, research study on this plan has used ? What type of factors were considered in the study ?

6) What type of actions/ways that the City has used to contact the DB residents notify and explain the Site D Specific Plan (besides sending to property owners within 1,000 ft radius from the site)? I am concern about the "bias" view from the Consultant that this plan is very well taken and welcomed by the Diamond Bar residents. No response from *not being informed about* this plan is differ from "no opinion" (but with knowledge) on the plan.

7) The April 13 public hearing meeting was happened to be 2 days from the April 15 tax day. This "strategically" chosen date made many residents not be able to attend the meeting and voice out their views and opinion of this plan. The Planning Commission should arrange another date of public hearing meeting.

I am sincerely asking the Planning Commission members to consider all the comments submitted here and other residents. We understand the School Board would need to sell this site; but the proceeds of the land sold will only go to